

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Ernesto Gonzalez-Reyes

YOB: 1961

Mexico

## CRIMINAL COMPLAINT

CASE NUMBER:

M-10-1248-M


I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 20, 2010 in Hidalgo county, in the Southern District of Texas defendant(s) did,

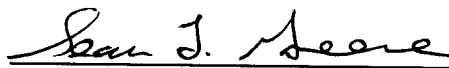
knowingly and willfully export and cause to be exported into the United Mexican States from the United States of America a defense article, that is, to wit: five (5) Century Arms Model GP WASR-10/63, caliber 7.62 x 39mm, semi-automatic rifles; ten (10) 7.62 x 39mm high capacity rifle magazines; and fifty (50) rounds of .40 Smith and Wesson caliber ammunition; which were designated as defense articles on the United States Munitions List (22 CFR, Chapter 1, Part 121), without having first obtained from the Department of State a license for such export or written authorization for such export.

in violation of Title 22 United States Code, Section(s) 2778.

I further state that I am a(n) U.S. ICE Special Agent and that this complaint is based on the following facts: See Attachment "A."

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

*approved for filing*  
  
Aust

  
Signature of Complainant

Sean T. Greene - ICE Special Agent

Sworn to before me and subscribed in my presence,

March 22, 2010

Date

At McAllen, Texas

City and State

Dorina Ramos, U.S. Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

### **Attachment A**

On March 20, 2010, at approximately 3:30 p.m., Ernesto GONZALEZ-Reyes arrived at the Anzalduas port of entry in Mission, Texas driving a Chevrolet Suburban. GONZALEZ was traveling in the southbound lanes leading to Mexico. U.S. Customs and Border Protection (CBP) officers contacted GONZALEZ prior to exiting the United States and asked the subject if he was transporting firearms, ammunition, or monetary instruments exceeding \$10,000 (USD). GONZALEZ provided a negative oral declaration to that effect.

The officers performed a thorough inspection of the vehicle and discovered five (5) Century Arms Model GP WASR-10/63, caliber 7.62 x 39mm, semi-automatic rifles (serial numbers: 1972CC1569, 1983AF0063, 1988ACU2421, 1972CB1532, 1971CP1078); ten (10) 7.62 x 39mm high capacity rifle magazines; and fifty (50) rounds of .40 Smith and Wesson caliber ammunition. The rifles and magazines were wrapped in black plastic and concealed within the paneling of the vehicle cargo area, as well as beneath the front and rear bumpers of the vehicle.

U.S. Immigration and Customs Enforcement and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) special agents advised GONZALEZ of his Miranda Rights. GONZALEZ provided a written waiver of his right to counsel and agreed to answer the agents' questions.

During the course of the interview, GONZALEZ stated that he entered the United States earlier that same day with the intention of attempting to illegally export the firearms and ammunition into Mexico. GONZALEZ stated that he does not possess a license from the United States government to export defense articles, nor has he ever applied for such a license. GONZALEZ stated that he was aware that it was illegal to smuggle firearms and ammunition out of the United States. GONZALEZ stated that he concealed these items to avoid detection by law enforcement. GONZALEZ further stated that he engaged in this activity for the purpose of financial gain. GONZALEZ provided agents a written statement to the same effect.